



State of Utah

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Office of the Governor  
PUBLIC LANDS POLICY COORDINATION OFFICE

KATHLEEN CLARKE  
*Director*

M1047/0120  
April

November 20, 2014

April Abate  
Reclamation Specialist  
Division of Oil, Gas and Mining  
Department of Natural Resources  
P.O. Box 145801  
1594 West North Temple, Suite 1210  
Salt Lake City, UT 84114-5801

Subject: The Oil Mining Company (TomCo) New Large Mine Commercial Oil Shale  
Operation  
RDCC Project No. 46052

Dear Ms. Abate:

The Public Lands Policy Coordination Office received the following comments from the Utah Division of Wildlife Resources (UDWR) concerning TomCo's proposal for a large commercial oil shale mine located in Uintah County.

This type of mine leaves no options for avoidance or minimization of wildlife impacts; geologic overburdens are completely removed during the mining process. UDWR recommends compensatory mitigation to balance the effects of habitat loss and activity-related disturbance.

The mine occurs within crucial winter habitat for both mule deer and elk. Normally, UDWR would recommend avoiding all activity from December 1-April 15, to protect wintering big game. However, mining operations such as this have to be viewed as yearlong occurrences, and cannot be started and stopped on a seasonal basis. Mining operations will remove large areas of vegetation that provide forage for big game, reducing the available habitat. This causes big game animals to relocate into adjacent habitat areas. The movement increases competition for available forage, as surrounding areas are already occupied by other wintering mule deer and elk.



UDWR has successfully applied a mitigation approach while working with other energy companies, in which the proponent supplies funding for habitat improvement resulting in 4 acres of restored habitat for every acre of habitat directly impacted by mining. This 1:4 ratio of directly disturbed-to-restored acres has been applied in several areas of eastern Utah, to provide mitigation benefits which accounted for the direct disturbance (e.g., mining operations) and provided a reasonable response to indirect disturbance (human activity), although indirect effects can be difficult to measure. It has resulted in energy projects moving forward, while allowing mitigation for the wildlife impacts.

Mitigation for big game is important to achieve in this area, as it falls within the northern Book Cliffs unit, a highly regarded limited-entry hunting unit for both mule deer and elk: 1,961 residents applied for only 69 resident elk permits, and 589 non-residents applied for 7 non-resident elk permits for the 2014 rifle hunt. The Book Cliffs also supply a trophy mule deer hunting experience, with 2,511 residents applying for 164 resident permits, and 578 non-residents applying for 16 non-resident permits available for the 2014 rifle hunt. The Book Cliffs provide an important outdoor recreation environment, and we would like to help ensure that mule deer and elk populations in this area are not impacted by larger mining operations. This can be accomplished by ensuring that habitat improvement projects of the right design are successfully carried out within the Book Cliffs to compensate for the unavoidable mining-related impacts. UDWR has experience implementing wildlife mitigation programs related to energy development, and is prepared in this instance to partner with industry by sharing in the responsibility for design and implementation of habitat mitigation projects which offset mining impacts. If you would like to discuss options, please contact Ben Williams (435-823-0946) or Daniel Cloward (435-790-5357) in UDWR's Vernal office.

Thank you for the opportunity to provide comment on the proposed new commercial oil shale mine. Please direct any other written questions regarding this correspondence to the Public Lands Policy Coordination Office at the address below, or call to discuss any questions or concerns.

Sincerely,

Kathleen Clarke  
Director





Emily Berry <emilyberry@utah.gov>

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## Fwd: The Oil Mining Company (TomCo) New Large Mine Commercial Oil Shale Operation RDCC #46052

1 message

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**April Abate** <aprilabate@utah.gov>

Thu, Nov 20, 2014 at 8:34 AM

To: Paul Baker <paulbaker@utah.gov>, Dana Dean <danadean@utah.gov>, Emily Berry <emilyberry@utah.gov>

See comment letter from PLPCO/DWR for TomCo mine M/47/0120

April

----- Forwarded message -----

From: **Sindy Smith** <sindysmith@utah.gov>

Date: Thu, Nov 20, 2014 at 8:23 AM

Subject: The Oil Mining Company (TomCo) New Large Mine Commercial Oil Shale Operation RDCC #46052

To: April Abate <aprilabate@utah.gov>

April,

A state comment concerning TomCo's proposed commercial oil shale mine is attached.

If you have any questions please contact me.

Sindy

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*Sindy Smith*

RDCC Coordinator

Resource Development Coordinating Committee

Public Lands Policy Coordination Office

801-537-9193

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April A. Abate

*Environmental Scientist III*

Utah Division of Oil, Gas, & Mining

O: 801-538-5214

M: 801-232-1339

Hours M-Th 7-5



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